

Postal Regulatory Commission

Washington, D.C. 20268-0001

NOTICE OF FILING UNDER 39 U.S.C. § 404(d)

TO THE UNITED STATES POSTAL SERVICE:

Please take notice that the Commission received three petitions for review of the Postal Service's determination to close the Swaledale post office located in Swaledale, Iowa. The first petition for review received November 4, 2011, was filed by Kim Groh. The second petition for review received November 10, 2011, was filed by Scott Bonner. The third petition for review received November 14, 2011, was filed by John Drury, Mayor. The earliest postmark date is October 25, 2011.

This notice is advisory only and is being furnished so that the Postal Service may begin assembling the administrative record in advance of any formal appeal proceedings held upon the alleged (closing/consolidation) for transmittal pursuant to 39 CFR § 3001.113(a) (requiring the filing of the record within 15 days of the filing with the Commission of a petition for review). The Postal Service's administrative record is due no later than November 21, 2011.



Shoshana M. Grove
Secretary

Date: November 15, 2011

Attachment

A2012-52



FIRST SECURITY

809 Clark Street
P.O. Box 577
Charles City, IA 50616
1stsecuritybank.com

RECEIVED

2011 NOV -4 A 10: 09

October 25, 2011

POSTAL REGULATORY
COMMISSION
OFFICE OF THE SECRETARY

Postal Regulatory Commission
901 New York Avenue NW, Ste. 200
Washington DC 20268-0001

RE: Swaledale, Iowa Post Office

To the board of Appeals:

It is our understanding that there has been a final determination to close the Swaledale, Iowa, Post Office. First Security Bank and Trust has maintained a branch in this community for many years and continues to conduct business on a daily basis for the residents within the town of Swaledale and surrounding area.

This is a retirement community with many elderly residents; closing of the post office may make it difficult for this population to receive the services they may need.

The closing of this US Post Office, will have an impact on our business; but the primary concern is that the residents believe that it will negatively affect the ability of this community to survive.

On behalf of the Swaledale community, we are requesting that this decision be reviewed. We are also requesting information about becoming a USPS neighborhood retail center for this community.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Groh".

Kim Groh
Vice President

Received

OCT 31 2011

Office of PAGR

Aredale
Nora Springs

Charles City
Riceville

Dumont
Rockford

Ionia
Rockwell

Manly
Rudd

Marble Rock
Swaledale

Meservey
Thornton

Member FDIC

A2612-PL

RECEIVED

To Whom it may concern,

2011 NOV 10 P 2:05

On behalf of the Friends of Swaledale, I am writing to appeal the closure of the Swaledale, Iowa Post Office.

POSTAL REGULATORY
COMMISSION
OFFICE OF THE SECRETARY

We do not feel that the decision to close this post office is necessary and we also express concerns as to whether proper USPS procedures were followed in the study of the closing of this office. We would ask that a further investigation be conducted to ensure that procedures were applied correctly. The notice of closure included errors and omissions that call into question the study, and we feel that an investigation is warranted in this proposed closure of the Swaledale Post Office. We hope that a review of the decision is forthcoming.

Please understand there are numerous individuals, families and businesses that rely on the Swaledale Post Office for necessary services and this will create a tremendous hardship should the post office be closed.

We hope that, upon further review, the decision to close the Swaledale Post Office will be reconsidered and that the Swaledale Post Office can continue to serve the needs of the Swaledale community.

Thank you,



Scott Bonner
Friends of Swaledale
P.O. Box 25
Swaledale, IA 50477

Received

NOV 08 2011

Office of PAGR

A 2012-52

**CITY OF SWALEDALE
P. O. BOX 7**

SWALEDALE, IA 50477

PHONE: (641) 995-2360

FAX: (641) 995-2360

E-mail: cityofswaledale@frontiernet.net

November 3, 2011

Received

Ruth Y. Goldway, Chairman
Postal Regulatory Commission
901 New York Avenue N.W., Suite 200
Washington, D.C. 20268-0001

NOV 10 2011

Office of PAGR

Dear Chairman Goldway:

The United States Postal Service has issued a final determination to close the Swaledale, Iowa 50477 post office, docket #1384081-50477 and provide delivery and retail services by rural route service under the administrative responsibility of the Rockwell, Iowa post office. The posting date of the final determination to close the Swaledale, Iowa Post Office is 10/17/2011.

On behalf of the Swaledale City Council, the residents of the City of Swaledale, and the customers of the Swaledale, Iowa Post Office, this letter serves as an appeal of this "determination to close."

Our appeal is based on the following:

The USPS has exhibited unprofessional conduct throughout this process. On May 28, 2011, I went into the Swaledale post office and was greeted by the current rural carrier, Kim Linville, who told me that "the public meeting is in two weeks and we're closing this office." It is my understanding that this type of comment from a postal employee while an office is under a discontinuance study is strictly prohibited and if not, then certainly it's unethical and completely inappropriate and unfair to the entire process. Enclosed with this letter is a copy of a complaint letter written to Mr. Thomas Allen, Manager of Post Office Operations at the time of the incident. Unfortunately, Mr. Allen's response to my letter was a return phone call where I was accused of fabricating the entire story.

Additionally, at our initial community meeting on June 13, 2011 conducted by Thomas Allen, citizens, business owners and post office customers were met with extreme sarcasm and rude behavior from Mr. Allen. At one point, we had a business owner explain that they were about to expand their business and that if there was any doubt in the postal service's ability to keep that office open, the business wouldn't expand and would look at other locations as well as other parcel services. The response from Mr. Allen was that it "wasn't his problem." The PO-101 Handbook states that the employees conducting the community meeting "must also possess

highly developed human relations and communications skills.” This type of response from a high ranking postal official is arrogant, derogatory, and clearly falls short of this requirement. Mr. Allen had a mission of convincing residents that it would do no good to fight this. This type of behavior severely hampered the community response. Had Mr. Allen acted in a more professional manner, the customers of the Swaledale Post Office would have felt that they could ask more questions and that providing more comments regarding the discontinuance would have an effect on the outcome.

The Postal Service’s decision to provide delivery and retail services under the administrative responsibility of the Rockwell, Iowa post office is contrary to the Federal Postal Code service requirement. The Rockwell office has extremely limited hours compared to the current hours of the Swaledale post office, and is not handicap accessible. The limited hours will cause unnecessary hardship to many residents and customers of the Swaledale office and the office will simply not be able to provide the maximum degree of effective and regular service to these citizens. The Swaledale office is handicap accessible so this loss is a very legitimate concern of those affected. **When customers need to go to the administrative post office in Rockwell it will be impossible for those needing handicap accessibility.**

False economic savings data is used to support the discontinuance decision. Under the Economic Savings section of the “determination to close”, the Postal Service factors in salary and benefits of a Postmaster to this facility, instead of the same expense of a working OIC or PMR. This office has not had a Postmaster since 2007 so this unfairly inflates the expenses and economic savings to the Postal Service.

The Postal Service’s decision to close our post office and provide rural delivery service raises questions concerning the sanctity and security of the mail and the risks involved in the handling of mail by non-career employees. There will undoubtedly be inefficiencies in purchasing stamps and money orders, as well as sending time sensitive mail such as certified letters, registered letters, city water lab samples, and COD’s. **Waiting at a curbside mailbox to conduct postal business when the rural carrier arrives, as the proposal suggests, can not under any circumstances be considered the maximum degree of regular and effective service.**

The USPS has failed to recognize the negative effect on the community. The Swaledale Post Office is one of the three required public notice posting places established by ordinance for the City of Swaledale. Removal of this office and its public bulletin board leaves the city without a third common gathering place to post public meeting notices as well as city council minutes, which we are required to do by law.

There are no retail businesses in Swaledale for establishment of a Village Post Office concept.

The USPS has failed to follow the USPS Handbook PO-101. PO-101Section 222, Preposal Investigation, states a requirement that postal officials *“meet with civic leaders, such as the*

mayor and local business managers. Working with the Facilities Service Office, look for potential alternate quarters and community Post Office (CPO) sites. Inquire into community interest and availability of quarters for contracting a CPO. These meetings never took place. The city would have liked the opportunity to work with the Postal Service to help this location be more economical.

PO-101 Section 242, Justification for Discontinuance, An example of justification includes *"The postmaster position is vacant. Service needs in the community have declined and the recommended alternate service would provide as good or better service to the community. (Include documentation in the official record to support such statements.)"* **No such documentation exists in the official record that would support a claim that our replacement service will be as good or better service to the community.**

Swaledale has a large number of elderly residents who are unable to travel to Rockwell or Thornton, both a 15 minute drive one way, for routine postal services since no public transportation is available. This places an unfair burden on senior citizens and does not provide them with the maximum degree of regular and effective service that they were given by Congress. Many elderly residents also require handicap accessibility which would not be available at our administrative office in Rockwell.


Businesses need to receive mail early in the day and also need postal services near the end of the business day. Sending an employee several miles to some other community in mid-afternoon is a costly detriment to any business at a time when we need to be encouraging any businesses. **As mentioned above, one business in town may need to relocate if our post office closes or will have to make use of an alternative delivery service.**

At a recent meeting with Iowa Governor Terry Branstad, several Iowa mayors and community leaders, and USPS officials, it was stated by postal officials that the offering of reduced utility bills or a reduction in office hours would not be considered because the problem is with the labor costs, not bricks and mortar, etc. Labor savings from closing the Swaledale office is estimated to be \$32,394 annually, and would be considerably less if accurate current salary figures are used. **Closing the office just takes the wages from the OIC and gives an additional \$11,885 to the rural carrier, sacrificing critical services to residents and businesses in town in the process.**

The United States Postal Code , Title 39, Part 1, Chapter 1, § 101 (b) states: "The Postal Service shall provide a maximum degree of effective and regular postal service to rural areas, communities and small towns where post offices are not self-sustaining. No post office shall be closed for operating at a deficit. It is the specific intent of the Congress that effective postal service be insured to residents of both urban and rural communities." **It is clear that from the beginning of this "process" postal officials have completely disregarded not only the US Postal Code, but also their own rules designed to study the discontinuance of a post office.**

The citizens of Swaledale, Iowa request that the Postal Regulatory Commission examine the procedures in which the USPS came to the conclusion that any of the above replacement services could possibly be considered the maximum degree of regular and effective service to the patrons of this office and reverse the decision to close the Swaledale Post Office.

Sincerely,


John Drury, Mayor
City of Swaledale, Iowa

cc: Postmaster General Patrick Donahue
Government Relations Manager William J. Weagley
Senator Charles Grassley
Senator Tom Harkin
Representative Tom Latham
Representative Bruce Braley
Iowa Governor Terry Branstad
Iowa Senator Amanda Ragan
Iowa House Majority Leader Linda Upmeyer

City of Swaledale
PO Box 7 • Swaledale, Iowa 50477
phone / fax 641 995-2360

June 2, 2011

Thomas Allen, Manager
Post Office Operations, Area 5
PO Box 189200
Des Moines, IA 50318-9205

RE: Rural Carrier complaint

Mr. Allen:

I'm writing to express a complaint on the recent behavior of Kim Linville, a rural postal carrier that works out of the Rockwell Post Office and delivers mail to rural Swaledale residents.

As you know, the Swaledale Post Office is being studied for possible closing and this complaint is centered on that controversial subject.

On May 28th, I went into the Swaledale post office and was greeted by Kim. The conversation inevitably got around to the subject of the potential closing and at one point, Kim said, "that meeting is in two weeks and we're closing this office." I told her that I didn't think that was necessarily the case and that the residents of the town wouldn't let that happen to themselves. She then made the comment that all the other small towns said the same thing and that they are all closed. She said the United States Postal Service was losing money and that they had no choice, implying that she somehow knew of the decision before it has even been made.

Shortly after I got home that day, I realized how upsetting that conversation was. My understanding is that the changes to mail service to our community are being studied and that no formal conclusion has been reached. If my understanding of the situation is correct, then Kim Linville's recent behavior is completely inappropriate and unethical to say the least.

Just today, I heard from several reliable sources that Kim has been telling people in the community that it's inevitable that the office will be closing and has also been pushing the idea of a box in front of every house as opposed to the CBU option. I've also heard that she is making comments in a neighboring community about the Swaledale Post Office that are simply untrue, to give the appearance that service or procedures are somehow inadequate. Ordinarily, I wouldn't give much credence to these comments, but given my own experience

in talking with her about the subject, I have no doubt they are taking place on what's likely to be a daily basis.

My assumption here is that Ms. Linville stands to see an increase in pay if her rural route were to increase to include a box in front of every household in the community and that she has a vested interest in closing the Swaledale office.

If my analysis of Kim's behavior and my above assumptions correct, I would expect you to address this behavior with her immediately.

I would also expect a written response to this letter informing me of any formal action taken. If you need to discuss this with me directly, I can be reached on my cell phone at 641 330-6851.

Sincerely,

A handwritten signature in black ink, appearing to read "John Drury". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

John Drury, Mayor
City of Swaledale